

Licensing Committee

Wednesday, 15th August, 2018

MEETING OF LICENSING COMMITTEE

Members present: Councillor O'Hara (Chairperson);
Aldermen Copeland and L. Patterson;
and Councillors Boyle, Clarke, Collins, Craig,
Dudgeon, Groves, Hussey, Hutchinson,
Magennis, McConville, Milne and Nic Biorna.

In attendance: Mr. A. Thatcher, Director of Planning and Building
Control;
Mr. S. Hewitt, Building Control Manager;
Miss N. Largey, Divisional Solicitor; and
Mr. H. Downey, Democratic Services Officer.

Apologies

Apologies for inability to attend were reported on behalf of the High Sheriff (Councillor Howard), Alderman Spence and Councillors Heading and McReynolds.

Minutes

The minutes of the meetings of 20th June were taken as read and signed as correct. It was reported that those minutes had been adopted by the Council at its meeting on 2nd July, subject to the omission of those matters in respect of which the Council had delegated its powers to the Committee.

Declarations of Interest

No declarations of interested were reported.

THE COMMITTEE DEALT WITH THE FOLLOWING ITEMS IN PURSUANCE OF THE POWERS DELEGATED TO IT UNDER STANDING ORDER 37(d)

Applications Approved under Delegated Authority

The Committee noted a list of licences and Road Closure Orders which had been approved under the Council's Scheme of Delegation.

Applications for the Renewal of Seven-Day Annual Indoor Entertainments Licences with Previous Convictions – Belfast Barge/Glenowen Inn

The Committee was reminded that, under the terms of the Local Government (Miscellaneous Provisions) (Northern Ireland) Order 1985, it had a duty, when considering any application for the grant, renewal or transfer of an Entertainments Licence, to take into account any convictions of the applicant relating to an offence under the Order which

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had occurred within a five-year period immediately preceding the date on which the application had been made.

Accordingly, the Building Control Manager drew the Committee's attention to applications which had been received for the renewal of Seven-Day Annual Indoor Entertainments Licences in respect of the Belfast Barge, Lanyon Quay and the Glenowen Inn, 108 Glen Road.

He reported that Lagan Legacy Limited, the licensee of the Belfast Barge, had on 23rd May, 2017, been fined £150 and ordered to pay £76 in costs, arising from an inspection in July, 2016 whilst entertainment had been taking place. Officers had found that the exit door to the rear of the multi-function space had been obstructed by the band's equipment and that the external gate on the rear escape walkway and one leaf of the main entrance/exit door had each been locked in a closed position. In addition, an emergency exit light had not been illuminated and the pre-entertainment log book had not been completed.

The Committee had, at its meeting on 21st June, 2017, agreed to renew the Entertainments Licence and subsequent inspections had revealed that all management procedures were being implemented effectively.

In terms of the Glenowen Inn, the licensee had, on 24th May, 2016, been fined £600 and ordered to pay £66 in costs, as a consequence of an inspection in October, 2015 whilst entertainment had been taking place, which had found that a rear exit door had been blocked by combustible materials, the alleyway leading from that exit had been partially obstructed by a vehicle, an exit sign had not been illuminated and the premises' log book had not been completed.

The Committee had, in November, 2016 and 2017, agreed to renew the Entertainments Licence and subsequent inspections had indicated that the premises were being managed in accordance with the Entertainments Licensing legislation.

The Building Control Manager pointed out that no written representations had been received in relation to the applications and that the Northern Ireland Fire and Rescue Service and the Police Service of Northern Ireland had offered no objections.

The Committee agreed to renew the Seven-Day Annual Indoor Entertainments Licences in respect of the Belfast Barge, Lanyon Quay and the Glenowen Inn, 108 Glen Road.

Consideration of the Variation of Designated Commodities for Street Trading Sites – Sale of Bus Tour Tickets

The Committee agreed to defer until its meeting in September applications for the variation of the Designating Resolutions for stationary street trading sites in Castle Junction and Castle Place to provide for the sale of bus tour tickets, to enable representatives of Visit Belfast, which had submitted additional comments, to attend.

**Review of Stationary Street Trading Licences –
Fountain Lane and Fountain Street**

The Committee was reminded that, at its meeting on 16th May, it had agreed that it was minded to revoke two Stationary Street Licences held by Mr. J. Kerr for designated sites in Fountain Lane and Fountain Street and agreed that he be invited to make representation to the Committee in that regard.

The Building Control Manager reported that the Committee's decision had been taken on the basis that Mr. Kerr had failed to pay the annual licence fee for each site and pointed out that his debt had since risen from £1,577.54 to £2,202.50. Mr. Kerr had been invited to address the Committee at this meeting, however, he had confirmed that he was on holiday and would, therefore, be unable to attend.

Accordingly, the Committee agreed to defer consideration of the matter until its next monthly meeting to enable Mr. Kerr to attend and noted information which had been provided in relation to the number of licensed stationary street trading sites within the City centre, together with their level of usage between March, 2015 and May, 2018 and those traders who had licence fees owing to the Council.

Non-Delegated Matters

Institute of Licensing National Training Conference

The Committee was reminded that the Institute of Licensing was the professional body for licensing practitioners in local government, the police, private sector, trade and the legal profession. The Institute, which operated throughout England, Scotland, Wales and Northern Ireland, had been established to provide education and training and to disseminate knowledge in all matters relating to licensing.

The Committee was reminded further that Belfast was a Corporate Member affiliated to the Northern Ireland Region of the Institute and that Mr. James Cunningham, the Council's Regulatory Services Manager, was the chairman of the Institute of Licensing (Northern Ireland Region) and a Director and Trustee of the Institute.

The Building Control Manager reported that, this year, the Institute would be holding its National Training Conference in Stratford-Upon-Avon from Wednesday 14th till Friday 16th November. He referred to a number of topics which would be covered over the course of the event and pointed out that it would provide Elected Members and officers with an opportunity to meet with other licensing professionals and to obtain an update on changes within the licensing sector. Accordingly, he recommended that the Committee approve the attendance at the conference of the Chairperson, the Deputy Chairperson, the Director of Planning and Building Control and the Building Control Manager (or their nominees), and approve also Mr. Cunningham's attendance, in recognition of his role as the chairman of the Northern Ireland Region. Mr. Cunningham's residential fee would be paid for by the Institute of Licensing.

The Committee adopted the recommendation.

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Change of Date of November Meeting

The Committee agreed to move its monthly meeting on 14th November to an alternative date, to prevent it from coinciding with the Institute of Licensing National Training Conference, which the Chairperson, the Deputy Chairperson and a number of officers had, earlier in the meeting, obtained approval to attend.

Training for the Licensing Committee

At the suggestion of the Chairperson, it was agreed that a report be submitted to a future meeting providing details on a proposed training programme for the Committee, with a view to assisting it in discharging its responsibilities.

Chairperson